

**MINUTES OF THE
LEGISLATIVE MANAGEMENT COMMITTEE**

Tuesday, December 15, 2015 – 12:00 p.m. – Room 210 Senate Building

Members Present:

President Wayne L. Niederhauser, Chair
Speaker Gregory H. Hughes
Sen. J. Stuart Adams
Sen. Jim Dabakis
Sen. Gene Davis
Sen. Karen Mayne
Sen. Ralph Okerlund
Rep. Patrice Arent
Rep. Joel Briscoe
Rep. James Dunnigan
Rep. Francis Gibson
Rep. Brian King

Members Absent:

Sen. Luz Escamilla
Sen. Peter C. Knudson
Rep. Rebecca Chavez-Houck
Rep. Brad Wilson

Staff Present:

Mr. Bryant R. Howe, Deputy Director
Mr. Robert Rees, Associate General Counsel
Ms. Denise L. Udy, Administrative Assistant

Note: A list of other present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Niederhauser called the meeting to order at 1:08 p.m.

2. Reports from Interim Committees

Rep. Bradley G. Last presented the report of the Education Interim Committee. Sen. Ann Millner was excused from the presentation. Rep. Last reviewed the Education Interim Committee's priority study issues and answered questions from the committee. Those issues included state education governance, student assessment requirements, early grade reading and math proficiency, alternatives to funding higher education buildings, and review of effects of performance funding. Compensation to teachers for professional development days was also discussed. Ms. Allyson Goldstein, Policy Analyst, Office of Legislative Research and General Counsel, provided information on the study topic of the State Instructional Materials Commission Amendments.

Sen. Evan J. Vickers and Rep. Kay L. McIff presented the report of the Health and Human Services Interim Committee. Priority study issues considered by the committee included Medicaid preferred drug list, medical marijuana, third-party medical liability, and regulation of continuing care retirement communities. Sen. Vickers and Rep. McIff answered questions regarding which bills the committee has considered concerning the study topics and thanked the committee staff for their work.

Sen. Mark B. Madsen presented the report of the Judiciary Interim Committee. Rep. LaVar Christensen was excused from presenting at the meeting. Sen. Madsen explained that the priority study issues assigned to the committee included issues related to family law including alimony, parental rights, and children's rights, civil rights, including surveillance, subpoenas, and police use of force, and issues related to expungement of criminal records. Sen. Madsen responded to questions concerning the use of time by the Judiciary Interim Committee. Mr. Gregg Girvan, Policy Analyst, Office of Legislative Research and General Counsel assisted Sen. Madsen in explaining statutorily required reports.

Sen. Deidre M. Henderson and Rep. Daniel McCay presented the report of the Revenue and Taxation Interim Committee. Priority study issues considered by the committee included sales tax exemptions,

corporate franchise and income taxes, property taxes on centrally assessed property, excise taxes on e-cigarettes, and earmarks of the state sales and use tax.

Sen. Todd Weiler and Rep. Don L. Ipson presented the report of the Law Enforcement and Criminal Justice Interim Committee. Sen. Weiler and Rep. Ipson discussed current bills regarding body cameras for law enforcement. Sen. Weiler discussed the state's efforts to provide legal counsel to indigent defendants in criminal matters are required under the Sixth Amendment to the United States Constitution. He said that the state may be sued if issues related to adequate representation of criminal defendants are not resolved soon. Rep. Ipson discussed the implementation of 2015 General Session H.B. 348, "Criminal Justice Programs and Amendments."

On behalf of committee chairs Sen. Curtis S. Bramble and Rep. Val L. Peterson, who were excused from the meeting, Mr. Joseph Wade, Policy Analyst, Office of Legislative Research and General Counsel, Ms. Patricia Owen, Associate General Counsel, Office of Legislative Research and General Counsel, and Mr. Sam Johnston, Associate General Counsel, Office of Legislative Research and General Counsel presented the report of the Business and Labor Interim Committee. Priority study issues reviewed by the committee included consumer credit laws, new motor vehicle sales, state building code revisions and timelines for adopting revisions to the state building code, and bail bonds.

5. Other Items / Adjourn

Sen. Jim Dabakis discussed legislator's access to reports written by contractors for the Legislature. He stated that defining the intended recipients of reports is important because it determines who is authorized to review the reports. He said that he believes there should be a policy concerning this issue and asked President Niederhauser and Speaker Hughes to address this issue further. Sen. Gene Davis said that reports should fully disclose all information required under the contract and that the Legislature should not pay a contractor for a biased report.

MOTION: Sen. Davis moved to adjourn the meeting. The motion passed unanimously with Sen. Dabakis and Sen. Mayne absent for the vote.

Chair Niederhauser adjourned the meeting at 3:28 p.m.